

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MATTRESS FIRM, INC.

Plaintiff,

v.

**GARY D. WHITE, THOMAS NEALY,
RODNEY STEPHENSON, TRINITY
RETAIL CONSTRUCTION, INC. and
EAGLE TECHNOLOGY, INC.**

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C.A. NO. 4:09-cv-3072

**CERTAIN DEFENDANTS
CERTIFICATE OF INTERESTED PERSONS**

Certain Defendants, Thomas Nealy, Rodney Stephenson, Trinity Retail Construction, and Eagle Technology ("Certain Defendants"), file this Certificate of Interested Persons pursuant to FED. R. CIV. P. 7.1, and the Court's Order for Conference and Disclosure of Interested Parties issued September 23, 2009.

Certain Defendants certify that the persons, associations of persons, firms, partnerships, corporations, affiliates, parent corporations, or other legal entities that are financially interested in the outcome of this litigation are:

1. Gary D. White;
2. Thomas Nealy;
3. Rodney Stephenson;
4. Phoenix Structures, Inc. d/b/a Trinity Retail Construction;
5. Boribiba, Inc. d/b/a Eagle Technology;
6. Mattress Firm, Inc.;
7. Mattress Holding Corp.;
8. Susman Godfrey L.L.P.; and

9. Fulbright & Jaworski L.L.P.

Respectfully submitted,

SUSMAN GODFREY L.L.P.

By: /s/ Erica W. Harris by permission
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CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2009, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Southern District of Texas, using the electronic filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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/s/ Erica W. Harris
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